

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

ANDRE DAVID LEFFEBRE,

Plaintiff,

versus

UNITED STATES FED. CORP., *et al.*,

Defendants.

CIVIL ACTION NO. 1:07-CV-743

**MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

Plaintiff Andre David Leffebvre, proceeding *pro se*, filed the above-styled lawsuit. The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending this lawsuit be dismissed for failure to state a claim upon which relief may be granted.


The court has received the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. Plaintiff filed objections to the Report and Recommendation.

The court has conducted a *de novo* review of the objections asserted by plaintiff. After careful consideration, the court is of the opinion the objections are without merit. Plaintiff asserts a 1989 criminal conviction was invalid and seeks money damages. However, as plaintiff does not assert his conviction has been overturned or otherwise declared invalid, the Supreme Court's decision in *Heck v. Humphrey*, 512 U.S. 477 (1994), bars his challenge to his conviction.

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered dismissing this lawsuit.

SIGNED at Beaumont, Texas, this 14th day of November, 2007.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive style with a horizontal line underneath it.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE